

COLCHESTER PLANNING COMMISSION

MINUTES OF THE MEETING

MARCH 16, 2010

PRESENT: Tom Mulcahy, Rich Paquette, Pam Loranger and Tim Ahonan

ALSO PRESENT: Sarah Hadd, Director

1. Call to Order

T. Mulchay meeting was called to order at 7:03 p.m.

2. Discussion of Possible Rezoning to “Business District” along Hercules Drive

Kimberly Murray, Director of Community and Economic Development updated the Commission on the positive feedback that she has heard with regards to the changes from to rezoning to the Business District at Exit 16 from area businesses and property owners. She explained that on behalf of several property owners she would like to submit to the Planning Commission a request to expand the Business District rezoning to include industrial zoned parcels east of U.S. 7 and down Hercules Drive. She informed the Commission that there are property owners present that wish to speak to that for the purpose of providing them additional opportunities for their properties in terms of uses.

K. Murray further commented that she is hearing the need for change from developers and property owners for the need for flexibility and the need for change to address the economic downturn. She explained that the Business District would allow for traditional industrial uses but also allow would allow for office, medical and retail uses.

T. Mulcahy provided background history of the rezoning of the west side of U.S. 7 to the Business District. The Commission only rezoned one side because they wanted to wait and see how it would develop before continuing on. T. Mulcahy commented that there has not been any change as a result of the rezoning as yet.

S. Hadd provided an overview of the existing zoning and use of parcels in the Exit 16 area.

Daniel Webster, of Weimann & Lamphere Architects, addressed the Commission and reported that they just built a building on their lot which is zoned Industrial. They received approval from the Development Review Board to construct two buildings. The existing building houses their architectural firm in half of the building the other is vacant. They have been approached by a medical practice that would really like to occupy the other half but because the property is zoned Industrial it is not an allowed use. D. Webster discussed the need for rezoning of that property to provide flexibility.

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Gordon Demeritt property owner at Acorn Lane and Hercules Drive thanked the administrators and the Planning Commission for all the work they have done in the past couple of years which has helped to keep their buildings occupied. G. Demeritt stated that he and his father are in favor of expanding the Business District zoning so that they can be competitive in the market place in terms of providing space for tenants.

Ron Charlebois addressed the Commission and said he owns 16 acres on Hercules Drive comprised of two lots. He noted that he is relocating his business to another community and is looking to sell but commented that it is very difficult because of the Industrial zoning which limits uses.

K. Murray thanked the Commission at looking at the possible change in the zoning to provide new opportunities for the property owners.

The Commission thanked K. Murray and the property owners for attending and providing the information relating to possible rezonings.

The Commission provided direction to S. Hadd on how they wish to proceed with looking at possible rezonings at the Exit 16 area. They requested that S. Hadd provide them with a list of existing parcels, the zoning and identify the use for the April 6th meeting. The property owners would be invited to participate at the April 20th meeting and it is possible that a public hearing can be scheduled for May 1st.

3. Discussion of Supplement 27

S, Hadd reviewed with the Planning Commission the following housekeeping updates to the Zoning Regulations:

1. Change the title DRB Coordinator to Zoning Administration throughout.
2. Change the title Town Planner to Director in Section 2.03D(1)
3. Clarify Section 2.05J for setback waivers to clearly state that structures can encroach in the setbacks only up to the amount already encroaching only if it is proved to the Zoning Administrator that there are no other feasible options for construction.
4. State in Section 2.07 that port-o-lets are temporary structures and must be removed in 14 days unless associated with a public park or construction site.
5. Consolidate Section 2.07E(5) , 2.09B(2) and Section 10.03 for regulating campers.
6. Under Section 2.10B(1) require a minimum setback of at least one foot from property lines to allow property owners to maintain the fence without trespassing onto the neighbors' land.

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7. Work with the Town Attorney on Section 2.12 to clarify that encroachments allowed under Section 2.05(J) and 7.03 do not increase the degree of nonconformity. Also clarify nonconformity as it relates to seasonal camps and allow for these nonconformities to be rebuilt and perhaps even expanded. Clarify abandoned versus discontinued uses in this section.
8. Delete the first sentence of 2.19B as the new Public Works Standards now take precedent.
9. Section 7.03 should specify the maximum stair size and handrail requirements for at least one side of the stairs in the Shoreland District (see enclosed handout). Spell out flexibility in accommodating rise and run in the Shoreland District for exterior stairs.
10. Section 8.09 further specify that interior fit-ups for commercial properties that do not have the potential to increase the impact of the use can be done as just a building permit (i.e. no increase in employees, traffic, wastewater, parking, etc.)
11. Section 10.01 requires setbacks for driveways from property lines however allow for waivers where shared drives are proposed.
12. Amend the Official Map to include proposed road trajectories within Severance Corners, West Lakeshore Drive, and Exit 17 well as any associated pedestrian networks.

The Commission agreed with the implementation of a driveway setback but requested that Staff provide them with a visual.

S. Hadd discussed with the Commission the issue that has been raised by property owners with regard to the PUD requirements of a 5 acre parcel for multiple uses. Staff will provide the Commission with additional information regarding PUD's.

4. Review Future Agendas

April 6th : Review existing use of commercial and industrial lots, additional information on driveways/setbacks and road networks;

April 20th : possible public input meeting on second meeting in April

5. Packet Information

The Commission reviewed packet information.

ADJOURNMENT

There being no further business to be brought before the Commission, a motion was made and seconded to adjourn the meeting. All members of the Commission present voted in favor of the motion and the meeting was adjourned at 8:40 p.m.

Minutes taken and respectfully submitted by Lisa Riddle.

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Approved this 6th day of April 2010

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